

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALICIA GARRISON,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 12-cv-05970 RBL

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration. (ECF No. 18.)

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

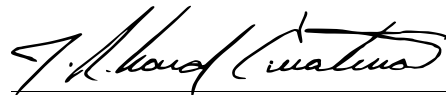
1 On remand, based on the parties' stipulation, this Court recommends that the above-
2 captioned case be reversed and remanded for a *de novo* hearing and further administrative
3 proceedings, including but not limited to the following: the administrative law judge ("ALJ")
4 will evaluate and give weight to all opinions, including the medical opinions of Dr. Tartalia and
5 Dr. Pryor, and if any opinion is discounted, give reasons for discounting the opinion; give further
6 consideration to the lay statements of claimant's mother, Mrs. Aquino; if necessary, obtain
7 medical evidence from a medical consultative examiner; re-evaluate plaintiff's severe
8 impairments; re-evaluate plaintiff's residual functional capacity; and if necessary, obtain
9 supplemental vocational expert evidence.

10 This Court further recommends that the ALJ take any other actions necessary to develop
11 the record. In addition, plaintiff should be allowed to submit additional evidence and arguments
12 to the ALJ on remand.

13 Following proper presentation, this Court will consider plaintiff's application for costs
14 and attorney's fees pursuant to 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

15 Given the facts and the parties' stipulation, the Court recommends that the District Judge
16 immediately approve this Report and Recommendation and order the case be **REVERSED** and
17 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

18 Dated this 27th day of March, 2013.

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21 J. Richard Creatura
22 United States Magistrate Judge
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